



IDAHO DEPARTMENT OF HEALTH & WELFARE

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Dear Idaho EMS Agency:

SUBJECT: RYAN WHITE CARE ACT

Widespread concerns are being expressed throughout the EMS industry over the deletion of portions of a federal law known as the "Ryan White Care Act". This law had provisions assuring EMS personnel access to patient test results through medical care facilities when possible exposure to infectious diseases occurred in the Prehospital setting. An issue brief on the subject published by the National Association of State EMS Officials is attached.

Fortunately, Idaho EMS providers have had access to specific information for significant exposures because of Idaho laws and rules that have been in place for many years. Copies of that section of Idaho Code and sections of rules are attached. The Idaho provisions have limitations, however:

- a) State statute and rules allow the state epidemiology office to search case registries for possible exposures for Hepatitis B and HIV, whereas the repealed federal provisions allowed the EMS affiliation to ask the receiving facility about exposure to those, plus infectious pulmonary tuberculosis, diphtheria, meningococcal disease, plague, hemorrhagic fevers, and rabies.
- b) Case registry records are available only if the source patient was reported to the Idaho Division of Health (separate rules mandate reportable diseases).
- c) The process can be slower than the Ryan White Act (i.e., this service is only available during state business hours).

Presently, any person providing emergency medical services who believes he has experienced a significant exposure to blood or bodily fluids as defined in the attached rules may report said exposure as soon as possible or within fourteen (14) days of the occurrence to the Idaho Division of Health on a Significant Exposure Report Form. The EMS Bureau Web Site has the Significant Exposure Information Request Form under the 'Provider Resources' section at www.idahoems.org. Forms may also be requested from the Office of Epidemiology and Food Protection (OEFP) by calling 208-334-5939.

When, in the state epidemiologist's judgment, a significant exposure has occurred, the Department will inform the exposed individual that he may have been exposed to the HIV or HBV virus, or that there is no information available based on the Department's current HIV or HBV registry and will recommend appropriate counseling and testing for the exposed individual. The significant exposure request process should be complimentary to an up-to-date Bloodborne Pathogens Exposure Control Plan. OSHA requires agencies prepare a Bloodborne Pathogens

Exposure Control Plan if a reasonably anticipated exposure to blood or other potentially infectious materials can occur through an employee's job duties. The plan should detail the agency's methods for preventing exposure and post-exposure response processes, including the prompt initiation of post-exposure prophylaxis (PEP), if warranted.

Advocates for EMS are working to have the federal provisions for emergency medical personnel restored. For more information, visit their website at <http://www.advocatesforems.org/>

Please contact your EMS Regional Consultant if you have further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dia Gainor". The signature is fluid and cursive, with the first name "Dia" and last name "Gainor" clearly distinguishable.

Dia Gainor
Bureau Chief

DG:tk

Enclosed: NASEMSO Position Paper